

HOUSE No. 1239

By Ms. Jehlen of Somerville, petition of Patricia D. Jehlen and others relative to certain rights of faculty members at the University of Massachusetts. Higher Education.

The Commonwealth of Massachusetts

PETITION OF:

Patricia D. Jehlen	Benjamin Swan
Ellen Story	Barbara A. L'Italien
Anne M. Paulsen	Alice K. Wolf
John D. Keenan	John W. Scibak

In the Year Two Thousand and Five.

AN ACT RELATIVE TO CERTAIN RIGHTS OF FACULTY MEMBERS AT THE UNIVERSITY OF MASSACHUSETTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 75 of the General Laws is hereby amended by striking
2 out section 4, as appearing in the 1994 Official Edition, and
3 inserting in place thereof the following section:—
4 Section 4. The trustees shall determine the time and place of
5 their meeting. Nine members shall constitute a quorum. Meetings
6 of the board of trustees shall be subject to the provisions of sec-
7 tions 11A and 11A½ of chapter 30A; provided, however, that in
8 addition to the purposes set forth in said section 11A½, the
9 trustees may hold an executive session to consider the award of
10 honorary degrees. The trustees may further hold an executive ses-
11 sion to consider the award of tenure to a member of the faculty, if
12 the member who is being considered for tenure in such executive
13 session has been notified in writing, by the trustees, at least 48
14 hours prior to the proposed executive session; provided, however,
15 that notification may be waived upon agreement of the parties;
16 and provided, further, that the trustees shall hold an open meeting

- 17 if such member requests that the meeting be open. If an executive
18 session is held, such member shall have the following rights:
- 19 (a) to be present at such executive session during discussion or
20 considerations which involve such member;
- 21 (b) to have counsel or a representative of his own choosing pre-
22 sent and attending for the purpose of advising such member and
23 not for the purpose of active participation in said executive ses-
24 sion; and
- 25 (c) to speak on his own behalf.